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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10		No. CR 12-00155 EMC
11	UNITED STATES OF AMERICA,	)
12	Plaintiff,	)
13	v.	)
14	JAVIER FRANCISCO REYES,	)
15	Defendant.	)
16		)

STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING HEARING  
DATE TO OCTOBER 3, 2012 AND  
EXCLUDING ADDITIONAL TIME  
FROM SEPTEMBER 26, 2012 TO  
OCTOBER 3, 2012

17  
18 **STIPULATION**

19 For reasons relating to the availability of defendant's consulting expert, the details of which  
20 defense counsel has communicated to government counsel, the defense requests that the filing of the  
21 reply brief be continued from September 19, 2012 to September 26, 2012 and that the hearing date  
22 be continued to September 26, 2012 to October 3, 2012. The government has no objection to this  
23 request.

24 The parties also agree that the time between September 26, 2012 and October 3, 2012 should  
25 be excluded under the Speedy Trial Act; the continuance is necessary for effective preparation of  
26 counsel, 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv), and the ends of justice served by granting

1 such a continuance outweigh the best interests of the public and the defendant in a speedy trial. 18

2 U.S.C. § 3161(h)(7)(A).

3 SO STIPULATED.

4  
5 Dated: 9/19/12

MELINDA HAAG  
United States Attorney

7 /s/

8 J. MARK KANG  
Special Assistant United States Attorney

9  
10 Dated: 9/19/12

/s/

11 SHAWN HALBERT  
Attorney for Defendant

**ORDER**

For the reasons stated above, the Court orders that defendant may file his reply motion by September 26, 2012 and the Court will hear the motion on October 3, 2012 at 2:30 p.m. [for \_\_\_\_\_, 2012].

IT IS FURTHER ORDERED that the time between September 26, 2012 and October 3, 2012 should be excluded under the Speedy Trial Act; the continuance is necessary for effective preparation of counsel, 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv), and the ends of justice served by granting such a continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

SO ORDERED.

DATED: 9/20/12

THE HONORABLE  
United States District Judge

